

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

No. 94-CR-40015, 18-CV-4090

Plaintiff,

v.

**MOTION TO MODIFY TERMS
OF SUPERVISED RELEASE**

GARFIELD FEATHER,

Defendant.

COMES NOW, Defendant, Garfield Feather, by and through his pro bono counsel, and moves this Court pursuant to Federal Rule of Criminal Procedure 32.1, for the reasons set forth in the accompanying brief, to modify the terms of supervised release set forth in the judgment against Defendant dated February 15, 1995 (ECF No. 351).

Defendant moves the Court to temporarily suspend the requirement that Defendant, as a condition of his supervised release, participate in a sex offender treatment program, with such suspension to apply until Defendant has litigated to completion his pending motion to vacate or set aside his conviction pursuant to 28 U.S.C. § 2255 in the separate action before this Court with case number 10 Civ. 4090, including the resolution of any direct appeals from a final order of this Court resolving that motion.

Counsel for Defendant has informed the Government of his intent to file this Motion and to seek the relief requested herein. The Government has indicated that it will leave the issues raised by this Motion to the discretion of the Court.

Dated this 3rd day of January 2020.

BALLARD SPAHR LLP

/s/ Daniel R. Fritz

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Counsel for Defendant Garfield Feather

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of January, 2020, I electronically filed the foregoing with the Clerk of Court for the United States District Court for the Southern Division by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Daniel R. Fritz

Daniel R. Fritz